

STATE OF MICHIGAN

DEPARTMENT OF CONSUMER & INDUSTRY SERVICES BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket #98-AR-3

The proposed annexation of
territory in Hart Township
to the City of Hart.

SUMMARY OF PROCEEDINGS FINDINGS OF FACT AND CONCLUSION

This matter of the proposed annexation of the following territory situated in Hart Township to the City of Hart is described as follows:

All that part of the Northeast quarter of the Southwest quarter, all that part of the Southeast quarter of the Northwest quarter and all that part of the Northeast quarter of the Northwest quarter; all in Section 16, Town 15 North, Range 17 West, Hart Township, Oceana County, Michigan, which lies Northwesterly of a line 100 feet Southeasterly of (as measured at right angles and parallel to) the survey line of Highway US 31 (now know as Oceana Drive).

The survey line of Highway US 31 is described as: Beginning on the north line of said Section 16, a distance of 1140.45 feet East of the Northwest corner of said section; thence South 20°50'10" East 203.41 feet to the point of curve of a 1°30' curve to the right; thence Southerly along the arc of said curve 2901.67 feet to the point of tangent and point of ending.

SUMMARY OF PROCEEDINGS

- A. On May 1, 1998 a petition was filed requesting the annexation of certain territory in Hart Township to the City of Hart.
- B. On September 10, 1998 an adjudicative meeting was held to determine legal sufficiency and the petition was found to be legally sufficient pursuant to Public Act 191 of 1968, as amended, and Public act 279 of 1909, as amended.
- C. On October 29, 1998, a public hearing was held to receive testimony given pursuant to Public Act 191 of 1968, as amended. Notice of said hearing was published and mailed pursuant to Section 8 of Public Act 191 of 1968 as amended.
- D. On February 11, 1999, State Boundary Commissioners VerBurg, Rutledge and Walker and Oceana County Boundary Commissioners Forner and Altland held an adjudicative meeting during which they unanimously voted to approve the petition.

FINDINGS OF FACT

1. The City of Hart filed the petition for the purpose of allowing the jurisdictional transfer of Highway US-31 as agreed to by the City of Hart and the Michigan Department of Transportation.
2. Hart Township Supervisor James Jensen testified that the Township does not object to the annexation of this property.

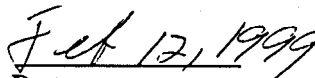
THE COMMISSION FINDS THAT

1. The City of Hart has requested annexation of the subject territory, the Michigan Department of Transportation desires to transfer the property to the City of Hart and Hart Township does not object to annexation of this property.
2. The general effect of this annexation upon the entire community would be positive.

IN CONCLUSION:

1. The Commission has considered the record of this docket in accordance with the criteria stipulated under Section 9 of Public Act 191 of 1968, as amended.
2. On February 11, 1999, State Commissioners VerBurg, Rutledge and Walker and Oceana County Boundary Commissioners Forner and Altland held an adjudicative meeting during which the draft Findings of Fact and Conclusion was reviewed, and the Commission unanimously voted to adopt the Findings of Fact and Conclusion.


Kenneth VerBurg, Chairperson
State Boundary Commission


Date

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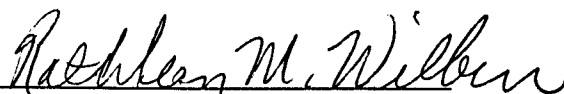
Boundary Commission
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FINAL ORDER

IT IS ORDERED THAT this order **approving** the annexation of certain territory in Hart Township into the Home Rule City of Hart shall be final and effective **30 days after** the date signed by the Director of the Department of Consumer & Industry Services.

IT IS FURTHER ORDERED THAT this order incorporates the attached Findings of Fact and Conclusions made by the State Boundary Commission and that the State Boundary Commission shall transmit a certified copy of these Findings of Fact and Conclusions to the petitioner and to the clerks of the City of Hart, Hart Township, and Oceana County.



Kathleen M. Wilbur, Director

Michigan Department of Consumer & Industry Services

March 23/1999

Date